

**REMARKS/ARGUMENTS**

Claims 1-23 now stand in the present application, claims 1-4, 7, 11, 15, 19 and 20 having been amended and new claim 23 having been added. Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the Office Action, the Examiner has rejected claims 1-17 and 19-22 under 35 U.S.C. § 102(b) as being anticipated by Du et al. (Du) and has rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Du. Applicants respectfully traverse the Examiner's 102 and 103 rejections of the claims.

One feature of Applicants' invention which is not taught or suggested by Du is the idea that having compared the proposed data representation of resource availability with the constraint data, and found that the constraints are not met, the data processing means sends the rejection signal to resources other than the resource which triggered the update to the data representation of resource availability in the first place. This allows other resource to "stand-in" or "cover" for the resource which triggered the update of the data representation in the first place. Specific examples of this behavior are seen in the present specification at page 14, line 32 to page 18, line 28 and page 24, line 5 to page 25, line 28. This sort of flexible team-working (whether that be a team of humans or machines or both) is nowhere contemplated in Du.

There is no teaching in Du that any "rejection" signal is sent to a resource. Each resource perhaps reports to its Local Resource Manager if it unexpectedly becomes unavailable, but the Local Resource Manager is not itself regarded as a resource in Du.

In order to emphasize this patentable distinction over the cited art, Applicants have amended independent claims 1 and 15 to further recite that the at least one other resource interface in response to receipt of the rejection signal outputs availability to the data processing means. This feature of Applicants' invention is clearly not taught or suggested by Du. Accordingly, all of present claims 1-23 are believed to patentably define over the cited reference.

In addition, "the data processing means" in claim 4 must be the same as" the data processing means" in claim 1 in that claim 4 depends from claim 1. In the analysis of claim 1, the Examiner does not consider "the data processing means" limitation, but his argument appears to rely on the data processing means being one thing in relation to claim 1 and another in relation to dependent claim 4. Thus, the Examiner's argument in relation to claim 4 is fundamentally flawed and claim 4 is believed to further patentably define over the cited art.

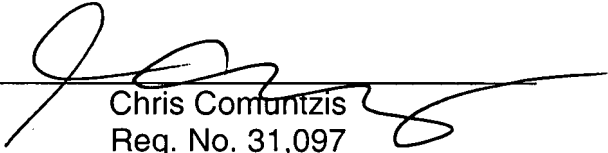
Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-23, now standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

ODGERS et al  
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Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

  
Chris Comuntzis  
Reg. No. 31,097

CC:lmr  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100